

9-1106

PRC
/m

Attorney's Docket No. 15-810C1

Patent



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Paul Stephen Tolley Art Unit: 3624
Application No.: 09/722,913 Examiner: Hamilton, Lalita M.
Filing Date: 11/27/2000
Title: PAYMENT SYSTEM
Docket No.: 15-810

09/12/2006 HLE333 00000105 09722913
01 FC:2453 750.00 DP

Watts Hoffmann Co., L.P.A.
1100 Superior Avenue
Suite 1750
Cleveland, Ohio 44114

Attention: Office of Petitions
Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Applicant hereby petitions for revival of this application for continuity purposes only in connection with the filing of continuation-in-part application serial no. 11/009,118, filed on December 10, 2004 ("CIP application").

In this application, a final office action was mailed on June 14, 2006. A required reply to the final office action of June 14, 2004 was due on or before September 14, 2004.

Due to unintentional and inadvertent oversight, when filing the CIP application on December 10, 2004, no petition or request was filed for an extension of time to reply to the final office action of June 14, 2006. To maintain the pending status of this application as of the December 10, 2004 filing date of the CIP application, a three month extension of time would have been required. As no such extension of time to respond to the final office action of June 14, 2004, as of December 10, 2004, this application stood abandoned.

The CIP application was filed on December 10, 2004 and intended to claim priority from this application. Because a three-month extension was not requested and the extension fee was not paid for this application, upon filing the CIP application there was no co-pendency between the CIP application and this application. Therefore, it is requested that this application be revived and maintained until December 10, 2004 so that there is co-pendency between the CIP application and this application and so that the priority claimed in the CIP application is proper.

Since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required.

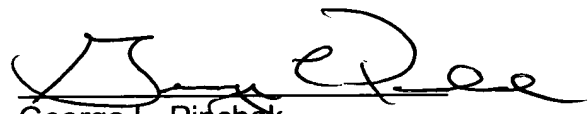
The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

A check for \$750.00 for Small Petition Fee entity-fee \$750.00 (37 CFR 1.17(m)) is enclosed. Applicant claims small entity status.

If any additional fees or changes, including any extension fees, are required in connection with this Petition for Revival and/or establishing continuity of this application with the CIP application, permission is hereby authorized to charge Deposit Account No. 23-0630.

Respectfully submitted,

9/8/06
Date: September 8, 2006


George L. Pinchak
Registration No. 37,697
WATTS HOFFMANN CO., L.P.A.
1100 Superior Ave., Ste. 1750
Cleveland, Ohio 44114
Phone: (216) 241-6700
Facsimile: (216) 241-8151

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail (label number EV 620196912 US in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22331-1450.

9/8/06
Date


Signature

Penny A. Mangan
Typed or printed name of person signing certificate